



CITY COUNCIL REGULAR MEETING AGENDA

MARCH 14, 2023 – 7:00 pm

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. CONSENT AGENDA¹
 - A. January 24, 2023 Work Session Minutes
 - B. January 24, 2023 Regular Meeting Minutes
 - C. February 14, 2023 Regular Meeting Minutes
 - D. Award 2023-2025 Street Sweeping Contract to Allied Blacktop
 - E. Approve New Liquor License: Lost Bay, LLC at Caribbean Marina
 - F. Approve Renewal Liquor License: Joey Nova's Pizzeria
5. MATTERS FROM THE FLOOR² (*maximum time of five minutes per person*)
6. SPECIAL BUSINESS
 - A. None
7. PUBLIC HEARING
 - A. None
8. OLD BUSINESS
 - A. Resolution 23-13: Denying Variance Application for 110 Interlachen
9. NEW BUSINESS
 - A. Resolution 23-14: A Resolution of Support for DNR Trail Connection Grant Application
 - B. Resolution 23-15: A Resolution of Support for DNR Outdoor Grant Application (Fishing Pier)
 - C. Resolution 23-16: A Resolution of Support for DNR Outdoor Grant Application (Playground)
 - D. Resolution 23-17: A Resolution of Support for Hennepin County Grant Application (Playground)
10. MATTERS FROM THE FLOOR² (*maximum time of five minutes per person*)
11. REPORTS
 - A. Administrator's Report
 - B. Contract Staff Report(s)
 - C. Doug Eckland: Finance, Fire Lanes and Public Access, Technology
 - D. Kristin Viger: Parks and Docks, Sanitation and Recycling
 - E. Kelly Wischmeier: Building Inspection, Municipal Buildings and Grounds
 - F. Tim Connelly: EFD, Commercial Marinas, LMCD
 - G. Adam Jennings: SLMPD, Administration, Public Works, Employee Advisory Board
12. ADJOURNMENT

All matters listed within the Consent Agenda are considered to be routine items to be enacted upon by one City Council motion. Items on the Consent Agenda are reviewed in total by the City Council and may be approved through one motion with no further discussion by the Council. Any item may be removed by any Council Member, staff member or person from the public for separate consideration.

²For individuals who wish to address the Council on subjects which are not a part of the meeting agenda. Typically, the Council will not take action on items presented at this time but will refer them to staff for review, action and/or recommendation for future Council action.

**DRAFT MINUTES
TONKA BAY CITY COUNCIL
WORK SESSION
JANUARY 24, 2023**

1. CALL TO ORDER

The work session was called to order at 6:06 pm.

2. ROLL CALL

Members present: Mayor Jennings and Councilmembers Connelly, Eckland, Viger and Wischmeier. Also present were City Administrator Tolsma, City Engineer Adam Gadbois and City Attorney Jason Hill.

3. DISCUSSION TOPICS

Proposed Hardcover Ordinance Update & Discussion

City Administrator Tolsma said the feedback from the Minnesota Department of Natural Resources essentially states they are concerned about the increased hardcover expansion of properties that are not treating stormwater. Although it was not an outright denial, there would need to be amendments added for approval, such as a naturalized buffer strip or increased shade tree density. Mayor Jennings asked City Engineer Gadbois his ideas that they could provide to the DNR to get their approval. Gadbois replied that the City could certainly consider ideas such as a buffer, shade trees, or rain gardens, as well as other options. Councilmember Viger asked what the shoreline buffer zone may look like. City Engineer Gadbois replied it might just be a stretch of native vegetation that would soak up or slow down runoff to the lake. Gadbois noted that presumably they could get something ironed out to the point where the City would have a user-friendly resident guide like we currently have for rain gardens. Councilmember Viger said her concern about implementing new hardcover guidelines is that it could cause drainage issues and that the City may become liable by allowing new guidelines. She asked City Engineer Gadbois if he had a chance to look at the neighborhoods this may affect to make sure the City is in a good position to defend itself. He replied one thing they always look at, regardless of the hardcover situation, when there is a new build is that they need to provide a grading plan to make sure they install swales along property lines down to the lake so there is no drainage directly to adjacent properties. In terms of impact to the streets, when street reconstructions happen, the hydrology modeling will account for potential runoff. City Administrator Tolsma said the next steps are to set up a meeting with the DNR and come up with a revised version of the ordinance they can submit for approval.

Council Work Sessions Discussion

Mayor Jennings asked council their opinion on the work sessions. Councilmember Viger replied if they were to continue them, she believes they should be recorded and published to help with transparency. She also thinks that one per month would be enough. Councilmember Connelly thinks they are good and perhaps one per

month would be fine. He said there are too many items on the agenda and the discussions get bogged down sometimes. Often items are left hanging on the agenda without being discussed. Councilmember Wischmeier questioned the effectiveness of the work sessions as often times things are discussed and then not brought up again. Mayor Jennings replied that there are always items that can be rediscussed if deemed necessary. City Administrator Tolsma replied there are quite a few items that are kept on the back burner and each work session typically one or two items are prioritized that are more critical to discuss than others. City Administrator Tolsma replied that they could go either way regarding the recording of the meetings. Some cities do not record them at all as they are meant to be informal; however, there is no right or wrong way it is whatever the council feels is best. Meeting minutes are the only statutory requirement. Mayor Jennings said he thinks if you start making the meetings too formal it bogs down the conversation and you lose flexibility and the benefits of the work sessions themselves as they are a way to float ideas that are still at the concept level. Councilmember Wischmeier agreed the work sessions are meant for discussion purposes and not meant to be formal voting meetings. She wants to continue the work session meetings once per month, but they need to be more vigilant sticking to the agenda.

Minnehaha Discussion

Mayor Jennings said the Minnehaha boat is looking for a place to store and launch their boat. There is a private parcel off Brentwood Avenue and Bay Street that could accommodate their needs; however, it would entail using the Bay Street fire lane twice a year to launch the boat in the spring and put it away in the fall. He proposes selling a portion of the end of the Bay Street fire lane so they could potentially construct a building to house the boat, adjacent to the parking lot that already exists on private land. Councilmember Viger said there are potential zoning and classification issues they would face. Mayor Jennings noted that he is just throwing the idea out there to see if there is any interest in the idea. Councilmember Viger said there are zoning and classification issues and she is probably a no as it would create a lot of public pushback. Councilmember Wischmeier said she would rather see what the pushback is before saying no. Mayor Jennings asked if the city could sell the fire lane property. City Attorney Hill replied that it cannot be sold, only vacated to the adjacent property owner. Councilmember Wischmeier said let them look into it and do all of the leg work and incur the expenses, rather than city staff, and then bring it back to council. Councilmember Connelly said he is willing to learn more and see where it goes. Councilmember Eckland said he is also open to considering the idea further but would need more information.

Street Sign Design Discussion

City Administrator said he just recently learned that they had just gone through the process of updating all the street signs so no need to discuss.

Dog Licensing Discussion

City Administrator Tolsma said he spoke with Police Chief Tholen and he said it did not make a difference either way to the SLMPD as most dogs they pick up these days are microchipped. The council unanimously decided to update the ordinance to reflect annual dog licenses were no longer necessary.

Miscellaneous

4. **ADJOURNMENT**
There being no further business, Council moved on to the City Council meeting.

Adam Jennings, Mayor

Attest:

Rachel Myskevitz, City Clerk

**DRAFT MINUTES
TONKA BAY CITY COUNCIL
JANUARY 24, 2023**

1. CALL TO ORDER

The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:02pm.

2. ROLL CALL

Members present: Mayor Jennings, Councilmembers Connelly, Eckland, Viger and Wischmeier. Also present were City Administrator Dan Tolsma, City Engineer Adam Gadbois, City Planner Lori Johnson and City Attorney Jason Hill.

3. APPROVAL OF AGENDA

City Administrator Tolsma asked to amend the agenda to include the Parks and Docks Commissions five-year CIP under Item 9F.

Connelly moved to approve the amend the agenda to include the Parks and Docks Commissions five-year CIP under Item 9F. Viger seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

4. CONSENT AGENDA

- A. January 10, 2023 Work Session Minutes**
- B. January 10, 2023 Regular Meeting Minutes**
- C. Approve Southwest Assessing Proposal**
- D. Financial Report**

Mayor Jennings pulled Items 4B and 4D from the consent agenda for further discussion.

Viger moved to approve the Consent Agenda, removing Items 4B and 4D for further discussion. Connelly seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

Mayor Jennings said he would like to amend the January 10, 2023 Regular Meeting Minutes on page 2, at the end of the first paragraph to add "And in conjunction with Councilmember Connelly to address this topic further at an upcoming work session". He would also like to change on page one under Item 5, the second paragraph to read "Mayor Jennings wanted to ensure his previously stated amendment on the first page of the December 13, 2022 Regular Meeting Minutes states" and then go from there.

Mayor Jennings pulled the Financial Report under Item 4D to discuss several items.

On page one of the financial report, Mayor Jennings asked about the negative balance under fund 412, Water Treatment Plant Fund. City Administrator Tolsma responded it is not a fund in the traditional sense, rather a revolving line of credit through the state PFA. We just need to pull the \$1940 out of it and close the account.

On page two of the investment report, Mayor Jennings noticed that a US Treasury note for \$118,020.55 was maturing soon and for budgeting purposes wants to reinvest that money as he is seeing CD's paying out at upwards of 4.25 percent. City Administrator Tolsma agreed that they are seeing short-term rates in the four percent range for future investments.

On page three of the accounts payable, Mayor Jennings pointed out that we paid \$2,640.33 for salt and winter road mix. He said to City Engineer Gadbois he has heard in the past that there is a way to better manage how we treat our roads each year and would like to explore those ideas to see if we should move in that direction in the future.

On page seven of the accounts payable, Mayor Jennings saw the line item for the \$303,156.21 payment to Odessa II LLC for the Manitou Park improvements and he wanted to confirm where we are at for the county reimbursing us for the \$300,000. City Administrator Tolsma said we have not received that yet but will be getting the reimbursement once the project is finalized, then we can apply for that reimbursement.

On page 2 of the expenditure guideline report, Mayor Jennings said the first line item of health/life/dental under the planning/zoning department is significantly over budget so he wants to make sure that is baked into the 2023 budget. Similarly, more funds should be set aside for electric utilities as we are way over budget on that too.

On page 4 of the expenditure guideline report, at the top under department 49300, there is a transfer out of \$37,000. Mayor Jennings said he is assuming that represented the cost of the interim city administrator. City Administrator Tolsma confirmed that it was.

Lastly, Mayor Jennings stated we need to be sure not to overuse the reserves if we are over on our enterprise funds because that is not a good operating practice and we need to keep an eye on this year in the event we need to update rates to safe guard us.

Viger moved to approve the Consent Agenda Item 4B, with the amended changes to the minutes and Item 4D. Connelly seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

5. MATTERS FROM THE FLOOR

Joshua Bopp of 4737 County Road 101, Apartment 167 of Minnetonka spoke regarding being the former tenant at Tom Sims' carriage house at 74 Birch Bluff Road. He raised concerns with the city's handling of the complaints regarding the property he lived at.

6. SPECIAL BUSINESS

None.

7. PUBLIC HEARINGS

A. 45 Arbor Court Variance Request

City Planner Johnson gave an overview of the variance request for 45 Arbor Court. The applicant is requesting approval for a variance that would allow for a covered front entry to be constructed at a 46.7-foot front yard setback, which does not meet the required 50-foot front yard setback required by ordinance. The existing entry way for the home has a front yard setback of 51.6 feet. The applicant is seeking a 3.3-foot variance to the 50-foot front yard setback for the new front entry. The proposed addition would not increase the impervious surface coverage from its current number of 25.3% due to the fact that the applicant is proposing to take out some of the existing front sidewalk. In review of zoning and statutory criteria, the information provided concludes that the practical difficulty test is not met with this variance request, as there are no unique circumstances to the property not created by the landowner. All other criterion were met as outlined in the staff memo to council. Council asked various questions regarding explaining the survey that was submitted and City Planner Johnson answered each of them.

Mayor Jennings opened the public hearing.

Andy Johnsrud of Lecy Brothers Homes and Remodeling at 15012 Highway 7 in Minnetonka addressed the council regarding the narrative and why they are seeking the variance. He showed existing pictures of the front entry to council and explained why they it was necessary to redesign it in the way they did.

Mayor Jennings closed the public hearing.

Mayor Jennings explained to the council as a city, decisions made cannot be arbitrary or capricious. There needs to be a stated rationale that meets the city's policy.

City Administrator Tolsma said as staff, the application is reviewed and compared to the existing ordinances and anything beyond the standards is flagged as red flag. Once those are identified, it is council's responsibility to look at those and decide whether or not they agree.

It was discussed by council and determined the majority were in favor of approval of the setback variance.

Connelly moved to direct staff to prepare a resolution of approval of the requested 3.3-foot front yard setback variance based on the findings of fact, which are listed in items A through F in the staff memo. Wischmeier seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

8. OLD BUSINESS

None.

9. NEW BUSINESS

A. Ordinance 23-01: Fee Schedule

City Administrator Tolsma outlined the red-lined changes in the proposed 2023 fee schedule as found in the council packet. The maintenance credit for the fields was discussed at length. City Attorney Hill pointed out two large red flags. One being the insurance liability of having a third party maintaining the fields, the other being having an indemnification agreement making the city not liable if someone were to get injured due to the third party maintenance. Councilmember Viger asked Hill if he has a contract he could provide to the city. Hill replied that he did. He said the other nice thing about written contracts is you can write in what the maintenance standards should be. Councilmember Viger suggested taking out the maintenance credit all together and that can be negotiated separately as a part of the contract. Field rental details were discussed further.

Connelly moved to approve Ordinance 23-01, an ordinance amending Section 402., Fees with the fee changes as outlined. Wischmeier seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

B. Resolution 23-03: Authorizing Summary Publication of Ordinance 23-01: Fee Schedule

Connelly moved to approve the Resolution 23-03, authorizing the summary publication of Ordinance 23-01. Viger seconded the motion. Ayes: Connelly,

Eckland, Viger, Wischmeier, Jennings. Motion carried.

C. Ordinance 23-02: Amending Parks and Docks Commission Size

Wischmeier moved to approve agenda item 9C, Ordinance 23-02, amending the Parks and Docks Commission size. Connelly seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

D. Resolution 23-04: Appointing Parks and Docks Commission Members

Viger moved to approve the Resolution 23-04, appointing the Parks and Docks Commission members and establishing the terms as laid out in agenda item 9D. Connelly seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

E. 2023 Bonding Priorities for Upcoming Legislative Session

Mayor Jennings said Representative Myers reached out to the city to provide a list of project funding priorities for bonding requests as shown in the packet memo.

Connelly moved to approve the 2023 Bonding Priorities for the upcoming legislative session as outlined in the memo. Viger seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

F. Parks and Docks CIP

Councilmember Viger explained the Parks and Docks Commission's five-year Capital Improvement Plan for the parks and docks within the city.

Wischmeier moved to approve the Item 9F the Parks and Docks Five-year Capital Improvement Plan. Eckland seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

A. Administrator's Report

No report.

B. Contract Staff Report(s)

No report.

C. Doug Eckland – Finance, Fire Lanes and Public Access, Technology
No report.

D. Kristin Viger – Parks and Docks, Sanitation and Recycling
Councilmember Viger wanted to thank City Deputy Clerk Rachel Myskevitz and the Public Works Department for all of their efforts in the planning and execution of the Arctic Fever Celebration on January 21, 2023.

E. Kelly Wischmeier – Building Inspection, Municipal Building and Grounds
No report.

F. Tim Connelly – EFD, Commercial Marinas, LMCD
No report.

G. Adam Jennings – SLMPD, Administration, Public Works, Employee Advisory Board
Mayor Jennings wanted to clarify who the back-up appointee for the LMCD on council is and if the newly elected councilmembers are registered for the LMC's orientation.

12. ADJOURNMENT

There being no further business, Connelly moved to adjourn the meeting at 9:00 pm. Eckland seconded the motion. Ayes: Connelly, Eckland, Viger, Wischmeier, Jennings. Motion carried.

Adam Jennings, Mayor

Attest:

Rachel Myskevitz, Deputy City Clerk



MEMO

To: Mayor and City Council
 From: Todd Schallberg, Public Works Superintendent
 Date: February 28, 2023
 RE: Street Sweeping for 2023-2025

The City Council approved \$8000 in the 2023 Storm Water Drainage Fund in Street Sweeping. The City of Tonka Bay sweeps streets three times a year. In spring after the last snow event to pick up sand and salt, in summer mostly due to storms and in fall after the last leaves come down and before the snow. Sweeping the street has additionally proven to help remove phosphorus, which is a main cause for alga blooms on lakes and ponds. Also included, is sweeping in preparation for seal coat patching and roll off dumpster service for the fall leaf disposal. The average annual hours for sweeping are estimated at 75 hours. Additional lab cost to test sweepings is approximately \$200/annually. Using the bids below, the cost for 2023 will be approximately \$8450 - \$9200.

The following three quotes are for sweeping the city's streets by the hour:

<u>Sweeper Company</u>	<u>Cost per Hour</u>		
	2023	2024	2025
Allied Blacktop	\$110.00	\$115.00	\$120.00
Pearson Bros. INC	\$120.00	\$126.00	\$130.00
Twin City Sweeping Inc	No response as of 2/23/23		

Attachments

Proposal from Allied Blacktop
 Proposal from Pearson Bros. INC

Council Action Requested

Motion to approve the quote from Allied Blacktop

CITY OF TONKA BAY
REQUEST FOR PROPOSAL
FOR STREET SWEEPING

Requesting bids for street sweeping by hourly rate.

The sweeper cannot be a vacuum pickup it must be a mechanical pick-up style sweeper.

All sweepings will be dumped at public works area located by City Hall.

Schedule three sweepings per year, weather dependent.

Looking for a 3-year contract, please break down each year's hourly rate:

2023 hourly rate \$ 110.00

2024 hourly rate \$ 115.00

2025 hourly rate \$ 120.00

Send proposals to:

City of Tonka Bay
Attn: Todd Schallberg
4901 Manitou Rd.
Tonka Bay MN, 55331

Or

Tschallberg@cityoftonkabay.net

For questions, call Todd Schallberg, Superintendent of Public Works, at (952) 474-2947.

Allied Blacktop Company
10503 89th Avenue North
Maple Grove, MN 55369

1-31-23

CITY OF TONKA BAY
REQUEST FOR PROPOSAL
FOR STREET SWEEPING

Requesting bids for street sweeping by hourly rate.

The sweeper cannot be a vacuum pickup it must be a mechanical pick-up style sweeper.

All sweepings will be dumped at public works area located by City Hall.

Schedule three sweepings per year, weather dependent.

Looking for a 3-year contract, please break down each year's hourly rate:

2023 hourly rate \$ 120.00
2024 hourly rate \$ 126.00
2025 hourly rate \$ 130.00

Send proposals to:

City of Tonka Bay
Attn: Todd Schallberg
4901 Manitou Rd.
Tonka Bay MN, 55331

Or

Tschallberg@cityoftonkabay.net

For questions, call Todd Schallberg, Superintendent of Public Works, at (952) 474-2947.



MEMO

To Mayor and City Council
From Dan Tolsma, City Administrator
Date March 14, 2023
Re Item 4E: Lost Bay, LLC Liquor Licenses

Background

The City has received a new liquor license application from Lost Bay, LLC for use at a proposed restaurant located at the Caribbean Marina. They are requesting the following:

- Special Sunday Sale
- On-Sale Intoxicating Liquor

Considerations

Staff have reviewed the application and found it to be complete. Additionally, a background check has been conducted on the applicants and no items of concern have been flagged.

Recommendation

Staff recommends that the Council approve the new liquor license request for Lost Bay, LLC located at the Caribbean Marina.

*Staff recommend that Councilmember Wischmeier abstain from voting on this matter as she has a direct connection with the proposed establishment.

RESOLUTION NO. 23-13

**A RESOLUTION APPROVING
A VARIANCE AT 110 INTERLACHEN LANE
PID: 2111723140004**

WHEREAS, the City of Tonka Bay is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Tonka Bay (“City”) has adopted zoning regulations in the Tonka Bay City Code (“City Code”) to promote orderly development and utilization of land within the city; and

WHEREAS, Mike Pahl, Pristine Custom Homes (“Applicant”) applied for the following variance at 110 Interlachen Lane on behalf of Senden Development, LLC (“Property Owner”) which is legally described as follows; and

Lots 3 and 4 and that parts of Lots 1 and 2 lying west of a line beginning at the northeasterly corner of said Lot 3 and running in a straight line to the southeasterly corner of said Lot 1, all in Interlachen, EXCEPT that part thereof lying east of a line beginning at the southeasterly corner of Lot 2 Interlachen and running in a straight line 254 feet to a point on the shore of Lake Minnetonka which is 35 feet westerly measured along said shore line from the northeasterly corner of Lot 3 Interlachen; with the right to use for boating privileges, and/or ingress or egress to the main lower lake the canal across the highway in the rear of said premises, together with all rights, privileges, easements and appurtenances thereunto attached or belonging.

ALSO EXCEPTING THEREFROM:

All that parts of Lots 1, 2 and 3, Interlachen, Hennepin County, Minnesota described as follows: Beginning at the Southeast corner of Lot 1, Interlachen; thence in a Northerly direction along a straight line 245.4 feet to the Northeast corner of Lot 3 in said Interlachen; thence Westerly along the shore of Lake Minnetonka 55 feet more or less to a point 10 feet easterly of the Northwest corner of Lot 3 in said Interlachen; thence in a Southerly direction along a straight line 254 feet more or less to a point 20 feet Easterly of the Southwest corner of Lot 2, Interlachen; thence Easterly along the South line of Lot 2, Interlachen and Lot 1, Interlachen. 40 feet to the point of beginning, together with all riparian rights pertaining thereto for the use of boating purposes, and for ingress and egress to the main lower lake, the canal across the highway in the rear of above-described property.

WHEREAS, the Property is located within the R-1A zoning district and within the Shoreland Overlay District; and

WHEREAS, the Applicant are requesting the following:

- A .7% variance to the required impervious surface coverage of 32.7%.

WHEREAS, Lori Johnson, City Planner, issued a report to City Council dated February 14, 2023, that analyzed the request against the Comprehensive Plan and City Code; and

WHEREAS, the City Council held a public hearing and considered the application on February 14, 2023, and in consideration of the above-described request, makes the following findings of fact:

1. Pursuant to state law, variances may only be granted where the Applicant establishes that there are practical difficulties in complying with the zoning ordinance.
2. The Applicant has failed to establish any practical difficulties with complying with the required impervious surface coverage of 32.7%.
3. The shape of the property is not unique in that there are other lots within the city that have a similar size and shape.
4. The variance request is due to the actions of the applicant and not due to the uniqueness of the property or circumstance.
5. The applicant could remove .7% of the impervious surface coverage on site to meet the impervious surface requirements for this lot.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tonka Bay hereby deny the following request as shown on the plans provided by the Applicant:

- A .7% variance to the required impervious surface coverage of 32.7%.

PASSED AT A REGULAR MEETING of the Tonka Bay City Council this 14th day of March 2023.

Motion introduced by _____ and seconded by _____.

Roll call vote:

Councilmember Connelly	___
Councilmember Eckland	___
Councilmember Viger	___
Councilmember Wischmeier	___
Mayor Jennings	___

Adam Jennings, Mayor

ATTEST: _____
Rachel Myskevitz, City Clerk

CITY OF TONKA BAY

RESOLUTION 23-14

A RESOLUTION SUPPORTING APPLICATION FOR DNR TRAIL GRANT

WHEREAS, the City of Tonka Bay supports the grant application made to the Minnesota Department of Natural Resources for the Regional Trail Program. The application is to construct a bituminous trail connection from Manitou Park to the Lake Minnetonka Regional Trail; and

WHEREAS, the City of Tonka Bay recognizes that it has non-state cash matching funds available through the Parks and Docks Fund for this project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tonka Bay, if the City of Tonka Bay is awarded a grant by the Minnesota Department of Natural resources, the City of Tonka Bay agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Tonka Bay will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement; and

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Regional Trail Grant Manual and certifies it will report any actual, potential, perceived, or organizational conflicts of interest upon discovery to the state related to the application or grant award; and

BE IT FURTHER RESOLVED that the City of Tonka Bay names the fiscal agent for the City of Tonka Bay for this project as:

Dan Tolsma
City Administrator
City of Tonka Bay
4901 Manitou Road
Excelsior, MN 55331

BE IT FURTHER RESOLVED that the City of Tonka Bay hereby assures the Manitou Park trail connection to the Lake Minnetonka Regional Trail will be maintained for a period of no less than 20 years.

PASSED AT A REGULAR MEETING of the Tonka Bay City Council this 14th day of March 2023.

Motion introduced by _____ and seconded by _____.

Roll call vote:

Councilmember Wischmeier _____
Councilmember Eckland _____
Councilmember Connelly _____
Councilmember Viger _____
Mayor Jennings _____

Adam Jennings, Mayor

ATTEST: _____
Rachel Myskevitz, City Clerk

CITY OF TONKA BAY

RESOLUTION 23-15

A RESOLUTION SUPPORTING APPLICATION FOR DNR OUTDOOR RECREATION GRANT FOR RECONSTRUCITON OF THE OLD ORCHARD PARK FISHING PIER

BE IT RESOLVED that the City of Tonka Bay act as legal sponsor for the project contained in the Outdoor Recreation Grant application to be submitted on March 31, 2023 and that Dan Tolsma, City Administrator, is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of The City of Tonka Bay.

BE IT FURTHER RESOLVED that the applicant maintains an adequate Conflict of Interest Policy and, throughout the term of the contract, will monitor and report any actual or potential conflicts of interest to the State, upon discovery.

BE IT FURTHER RESOLVED that the City of Tonka Bay has the legal authority to apply for financial assistance, and it has the financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Tonka Bay has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED that the City of Tonka Bay has or will acquire fee title or permanent easement over the land described in the boundary map or recreational site plan included in the application.

BE IT FURTHER RESOLVED that, upon approval of its application by the State, the City of Tonka Bay may enter into an agreement with the State for the above-referenced project, and that the City of Tonka Bay certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BET IT RESOLVED, that Dan Tolsma, City Administrator, is hereby authorized to execute such agreements as necessary to implement the project on behalf of the applicant.

PASSED AT A REGULAR MEETING of the Tonka Bay City Council this 14th day of March 2023.

Motion introduced by _____ and seconded by _____.

Roll call vote:

Councilmember Wischmeier	_____
Councilmember Eckland	_____
Councilmember Connelly	_____
Councilmember Viger	_____
Mayor Jennings	_____

Adam Jennings, Mayor

ATTEST: _____
Rachel Myskevitz, City Clerk

CITY OF TONKA BAY

RESOLUTION 23-16

A RESOLUTION SUPPORTING APPLICATION FOR DNR OUTDOOR RECREATION GRANT FOR RECONSTRUCITON OF THE MANITOU PARK PLAYGROUND

BE IT RESOLVED that the City of Tonka Bay act as legal sponsor for the project contained in the Outdoor Recreation Grant application to be submitted on March 31, 2023 and that Dan Tolsma, City Administrator, is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of The City of Tonka Bay.

BE IT FURTHER RESOLVED that the applicant maintains an adequate Conflict of Interest Policy and, throughout the term of the contract, will monitor and report any actual or potential conflicts of interest to the State, upon discovery.

BE IT FURTHER RESOLVED that the City of Tonka Bay has the legal authority to apply for financial assistance, and it has the financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Tonka Bay has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED that the City of Tonka Bay has or will acquire fee title or permanent easement over the land described in the boundary map or recreational site plan included in the application.

BE IT FURTHER RESOLVED that, upon approval of its application by the State, the City of Tonka Bay may enter into an agreement with the State for the above-referenced project, and that the City of Tonka Bay certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BET IT RESOLVED, that Dan Tolsma, City Administrator, is hereby authorized to execute such agreements as necessary to implement the project on behalf of the applicant.

PASSED AT A REGULAR MEETING of the Tonka Bay City Council this 14th day of March 2023.

Motion introduced by _____ and seconded by _____.

Roll call vote:

- Councilmember Wischmeier _____
- Councilmember Eckland _____
- Councilmember Connelly _____
- Councilmember Viger _____
- Mayor Jennings _____

Adam Jennings, Mayor

ATTEST: _____
Rachel Myskevitz, City Clerk

CITY OF TONKA BAY

RESOLUTION 23-17

**A RESOLUTION SUPPORTING APPLICATION FOR HENNEPIN COUNTY
PLAYGROUND GRANT**

WHEREAS, the City of Tonka Bay supports the grant application made to Hennepin County for the Hennepin County Youth Sports Playground Grant Program. The application is to construct a new playground within Manitou Park; and

WHEREAS, the City of Tonka Bay recognizes that it has funds available through the Parks and Docks Fund for this project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tonka Bay, if the City of Tonka Bay is awarded a grant by Hennepin County the City of Tonka Bay agrees to accept the grant award and may enter into an agreement with Hennepin County for the above referenced project. The City of Tonka Bay will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement.

PASSED AT A REGULAR MEETING of the Tonka Bay City Council this 14th day of March 2023.

Motion introduced by _____ and seconded by _____.

Roll call vote:

- Councilmember Wischmeier _____
- Councilmember Eckland _____
- Councilmember Connelly _____
- Councilmember Viger _____
- Mayor Jennings _____

Adam Jennings, Mayor

ATTEST: _____
Rachel Myskevitz, City Clerk